

How to Ask for Your Marriage to be Invalidated (Annulled)

For spouses/registered domestic partners who agree

Use this packet ONLY if:

- You and your spouse or registered domestic partner **agree** on the terms of the invalidity, and
- Your spouse or registered domestic partner **will sign** the court papers to show that s/he agrees.

Important! If one of you is pregnant now, or a child was born after you separated, the other spouse/registered domestic partner is considered the *legal* parent. If you do not think the other spouse/registered domestic partner is the parent, in most cases you can ask the court to determine who the legal parents are (parentage) by filing a case to disestablish paternity **before** the child turns **4** years old. Parentage needs to be determined for any child born during the marriage **before** your case is finalized. If you are in this situation, talk to a lawyer.

Talk to a lawyer, if you can

These instructions are legal *information*, not legal *advice*. It's a good idea to talk to a lawyer before you file any forms. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

Step 1: Fill out these forms

All of these forms in Step 1 can be downloaded at: www.kingcounty.gov/courts/scforms.aspx

Form Name	Form Number	Notes	Completed
Case Information Cover Sheet			<input type="checkbox"/>
Confidential Information Form	DRPSCU 09.0200		<input type="checkbox"/>
Vital Statistics Form			<input type="checkbox"/>
Notice of Hearing (Kent or Seattle)		See step #4 for information on how to fill this out.	<input type="checkbox"/>

Step 2: Fill out these forms and make copies

All of these forms in Step 2 can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Petition for Declaration Concerning Validity	DR 01.0120	Use DR 01.0125 for Registered Domestic Partnerships	<input type="checkbox"/>

If you have children under the age of 18 born during your marriage, you will also need these forms.

Form Name	Form Number	Notes	Completed
Parenting Plan (Proposed)	DR 01.0400		<input type="checkbox"/>
Declaration Regarding Public Assistance	DRPSCU 01.0600		<input type="checkbox"/>

How many copies do I need?



- **Original** set to file with the Clerk's office.
- Copy **1** is for your records.
- Copy **2** is to give to the other party.
- Make a **3rd** copy if you have a child(ren) who has received public assistance at some point. You must deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Unit.

Step 3: Take your original forms to the Clerk's Office and pay a fee

The Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, ask for an application to let you file for free. This application is called a *Motion and Declaration for Waiver of Civil Filing Fees and Surcharges* ([Kent](#) or [Seattle](#)).

Important! When you file your forms, the clerk will give you two copies of your *Case Schedule*. Keep 1 copy for your records and give one copy to the other party.

Step 4: Choose a date to go to Court to finish your invalidity

To finish your invalidity, you must schedule a hearing by filling out and filing the *Notice of Hearing* (Kent or Seattle) form. Next to "**Nature of Motion**," write "*Presentation of Final Orders of Invalidity*". Inside the box labeled "**Cases Assigned to Individual Judges**" check the box next to "With oral argument Hearing".

For the date, you have two options. Be aware that either option you select, the date you pick must be at **least six court days** from the day you file the *Notice of Hearing* with the Clerk's Office and deliver the documents to the Judge, and other party (if required-- see *step 8*).

Option 1: Schedule your hearing for the weekly Status/Noncompliance calendar. Next to "**Judge's Name**" write "STATUS/NONCOMPLIANCE CALENDAR". The date you pick must be the following:

Seattle Cases: Any Friday at 9:00 AM, in Courtroom W-835

Kent Cases: Any Monday at 1:30 PM, in Courtroom 4F

Option 2: Schedule the hearing before your assigned Judge. A Judge is assigned to your case when you file with the clerk. The name of your Judge is listed on the first page of the case schedule. You must contact the Judge's bailiff to request a presentation date and time.

Note: It is possible that your assigned Judge may change. If you receive an "Order on Change of Judge" then you should schedule your hearing in front of your new assigned Judge, according to that notice.

Write the date you select next to "**Calendar Date**" and "**Date/Time**".

Important! If you are not ready to finish your case, you can file your other documents from Steps 1 & 2 and file the *Notice of Hearing* form when you are ready. You will need to meet the deadlines in your case schedule until you schedule the final hearing.

Step 5: Prepare your final orders

Fill out the following forms. You do NOT file these forms with the clerk at this time.

All of these forms in Step 5 can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Findings of Fact/Conclusions of Law (Marriage)	DR 04.0300	Use DR 04.0305 for Registered Domestic Partnership	<input type="checkbox"/>
Declaration Concerning Validity (Marriage)	DR 04.0400	Use DR 04.0405 for Registered Domestic Partnership	<input type="checkbox"/>

If you have children under the age of 18 you will also need

Form Name	Form Number	Notes	Completed
Parenting Plan (Final)	DR 01.0400		<input type="checkbox"/>
Child Support Order	DR 01.0500		<input type="checkbox"/>
Child Support Worksheets	WSCSS-Worksheets	Use WSCSS-Worksheets RDP for Registered Domestic Partnership	<input type="checkbox"/>
Child Support Schedule & Instructions	Use this information to calculate Child Support Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/csips/ssgen/		

You may also need these forms

Form Name	Form Number	Notes	Completed
Restraining Order	DR 04.0500		<input type="checkbox"/>
Law Enforcement Information Sheet	WPF All Cases 01.0400		<input type="checkbox"/>

Step 6: Deliver Judge's Copies

Make 1 copy of your proposed orders for the Judge. The Judge's Copies consist of: a copy of the Notice for Hearing and Proposed Final Orders from Step 5.

In the top right hand corner of the first page of the Judge's Copies, write the following:

Judge's Working Copies

Name of Judge: _____

(If presenting at Status/Noncompliance, write "Status/Noncompliance")

Hearing Date: _____

Presented By (Your name): _____

Deliver the Judge's Copies to the Judge's Mailroom at least **six court days** before your hearing.

Step 7: You and your spouse/registered domestic partner must go to a family law class

You must both go to a class, called *Family Law Orientation*, if you do not have an attorney representing you. This class will explain how the court handles invalidities. And it will tell you where you can find information and help.

The deadline to complete this class is listed on your *Case Schedule*.

Go to [Family Court Services](#) to find out the cost and how to sign up.

If you have children under 18, you must both go to a parenting class

Both parents **must** go to a parenting class called *What About the Children*. You must complete the class by the deadline listed on your *Case Schedule*.

Go to [Family Court Services](#) to find out the cost and how to sign up.

Step 8: Look at your Joinder (last page of your *Petition* or separate “*Joinder*” form)

If your spouse or registered domestic partner checked the box “I demand notice of all further proceedings in this matter,” they must:

- Sign the completed documents in Step 5, or
- You must give them the Notice of Hearing and a copy of the completed documents from Step 5, six court days before the hearing date for personal service, or 9 court days before the hearing date if mailed. You must take a completed *Declaration of Mailing* form to your hearing to prove that your spouse/partner was properly served.

Step 9: Go to your court hearing to finalize your invalidity

- Arrive at least 30 minutes early! You will need time to go through security.
- Go to the courtroom that you selected for your hearing and check in with court staff.
- Take your original orders from step 5 and a copy of all the other forms you filed.
- You must give the Court your original orders if asked. If you want copies of the signed orders on the day of your hearing, tell the Clerk.